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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,811	11/07/2001	Guido Gennasio	21954	1771

535 7590 02/23/2004

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EXAMINER

NICHOLSON, ERIC K

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 02/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

Office Action Summary	Application No.	Applicant(s)	
	10/035,811	GENNASIO, GUIDO	
	Examiner	Art Unit	
	Eric K Nicholson	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some c) ☐ None of:
 - 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 1-15 are objected to because of the following informalities: In claim 1, line 5, “the connection” lacks proper antecedent basis. In claims 5-8, “the clamping member” lacks proper antecedent basis. In claim 6, “said tubular body” lacks proper antecedent basis. In claim 8, “the connection means” lacks proper antecedent basis.

Appropriate correction is required.

Claim Rejections –35 USC § 112

Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

Claim Rejections – 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 9,10 and 13-15 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 5,944,359 to Andronaco. The Andronaco patent illustrates the present invention showing a pipe fitting 10 for pipes 20,30 exhibiting coating 30 (Fig. 3) having high mechanical and/or chemical resistance (column 5, lines 1-5), said pipe fitting 10 comprising a first tubular portion 28 (fig. 3) adapted to be connected to a pipe 20,30 and is connected to second portion also 28 located on the other end of fitting 10 (fig. 2) wherein the first tubular portion 28 exhibits an inside coating 42 (fig. 3) made a material having high mechanical and/or chemical resistance. As to claim 2, as shown in fig. 2 the second portion also numbered 28 on the left side of fig. 2 also includes the coating 42. As to claim 3 note the

protrusions 34 in fig. 2. As to claim 4, elements 22 of fig. 2 represent a clamping member as defined by claim 4. As to claims 9 and 10, see column 4, lines 66-67 which disclose the lining of the fitting 10 being the same as the lining of the pipe 20,30. As to claims 13,14 see figure 3 which illustrates the pipe 20,30 having a portion of liner 30 removed to fit over the fitting 10 such that just the outer portion of the pipe engages the fitting at 22.

Claims 1-5, 7-10 and 15 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 1,808,094 to Yackey. The Yackey patent illustrates the present invention showing a pipe fitting 5 for pipe 12 exhibiting coating 14 having high mechanical and/or chemical resistance (page 1, lines 1-5 and lines 20-30), said pipe fitting 5 comprising a first tubular portion adapted to be connected to the pipe 12 and is connected to second portion 7' wherein the first tubular portion can exhibit an inside coating 14 (fig. 2) or 24 (fig. 3) made a material having high mechanical and/or chemical resistance (page 2, line 10). As to claim 2, as shown in figs. 1-3 the portion 7' also includes the coating 14 or 24. As to claim 3 note the protrusions 22 in fig. 2. As to claim 4, a clamping member 16 is shown in the figures holding the pipe 12 to the fitting 5. As to claim 5, the clamp member is tubular. As to claim 7 and 8, the clamping member includes the groove and collar interconnection like

that of the present invention at 6 and 16'. As to claims 9 and 10, see figure 2 or see page 1, lines 15-20 and page 2, line 10 which disclose the lining of the fitting 10 being the same as the lining of the pipe 20,30.

Claims 1,2,4-10 and 12-15 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 2,184,116 to Eastman. The Eastman patent illustrates the present invention showing a pipe fitting 7 for pipe 5 exhibiting coating 24 (Fig. 1) having high mechanical and/or chemical resistance (page 3, lines 30-35), the pipe fitting 7 comprising a first tubular portion 6 adapted to be connected to the pipe 5 and is connected to a second portion 9 wherein the first tubular 6 portion exhibits an inside coating 10 made of a material having high mechanical and/or chemical resistance (page 2, lines 45-50). As to claim 2, as shown in fig. 1 the second portion 9 includes the coating 10. As to claims 4 and 5, element 2 shows a tubular clamping member. As to claim 6 the clamping member includes protrusions 14 shown in fig. 1 As to claim 7, the clamping member includes the groove and collar interconnection like that of the present invention at 8. As to claims 9 and 10, see page 2, lines 45-50 and page 3, lines 30-35 which disclose the lining of the fitting 7 being the same as the lining of the pipe 5. As to claim 12, see page 4, lines 25-35 which makes it known to use rubber cement between the fitting

7and the pipe 5As to claims 13,14 see figure 5 which illustrates the pipe 5 having a portion of the liner removed to fit over the fitting 7.

Claim Rejections – 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 2,184,116 to Eastman in view of U.S. patent 5,044,671 to Chisnell et al..

As noted above the Eastman patent discloses the claimed device however as to claim 11 no seal is shown between the pipe liner 24 and the fitting 6. Chisnell et al. discloses that it is known in the art to provide a similar type coupling with a sealing ring 28 added to seal between the liner 46 and the fitting 12 to act as a seal

under all operating conditions. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the pipe fitting of Eastman with a seal ring such as a seal ring 28 taught by Chisnell, in order to provide a more secure coupling for the inserted fitting due additional sealing provided by the seal between the liner and the fitting to stop leakage of fluid therebetween.

Conclusion

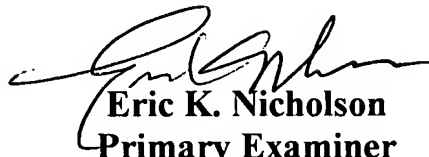
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Nicholson whose telephone number is (703) 308-0829. The examiner can normally be reached on Tuesdays thru Fridays from 7:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne, can be reached on (703) 308-1159. The fax phone number for Technology Center 3600 is (703) 872-93026.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 308-1113.

ekn
2/13/04


Eric K. Nicholson
Primary Examiner
Technology Center 3600